

upon the order form under secure conditions using substantial packaging material with no markings on the outside which would indicate the content.

[39 FR 17839, May 21, 1974, as amended at 54 FR 33674, Aug. 16, 1989]

## PART 1306—PRESCRIPTIONS

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AUTHORITY: 21 U.S.C. 821, 829, 871(b), unless otherwise noted.

SOURCE: 36 FR 7799, Apr. 24, 1971; 36 FR 13386, July 21, 1971, unless otherwise noted. Redesignated at 38 FR 26609, Sept. 24, 1973.

### GENERAL INFORMATION

#### § 1306.01 Scope of Part 1306.

Rules governing the issuance, filling and filing of prescriptions pursuant to section 309 of the Act (21 U.S.C. 829) are set forth generally in that section and specifically by the sections of this part.

#### § 1306.02 Definitions.

As used in this part, the following terms shall have the meanings specified:

(a) The term *Act* means the Controlled Substances Act (84 Stat. 1242; 21 U.S.C. 801).

(b) The term *individual practitioner* means a physician, dentist, veterinarian, or other individual licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices, to dispense a controlled substance in the course of professional practice, but does not include a pharmacist, a pharmacy, or an institutional practitioner.

(c) The term *institutional practitioner* means a hospital or other person (other than an individual) licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which it practices, to dispense a controlled substance in the course of professional practice, but does not include a pharmacy.

(d) The term *pharmacist* means any pharmacist licensed by a State to dispense controlled substances, and shall include any other person (e.g., a pharmacist intern) authorized by a State to dispense controlled substances under the supervision of a pharmacist licensed by such State.

(e) A *Long Term Care Facility* (LTCF) means a nursing home, retirement care, mental care or other facility or institution which provides extended health care to resident patients.

(f) The term *prescription* means an order for medication which is dispensed to or for an ultimate user but does not include an order for medication which is dispensed for immediate administration to the ultimate user. (e.g., an order to dispense a drug to a bed patient for immediate administration in a hospital is not a prescription.)

(g) The terms *register* and *registered* refer to registration required and permitted by section 303 of the Act (21 U.S.C. 823).

(h) The term *home infusion pharmacy* means a pharmacy which compounds solutions for direct administration to a patient in a private residence, Long Term Care Facility or hospice setting by means of parenteral, intravenous,